

Appl. No.: 10/584,748
Amdt. dated January 12, 2012
Reply to Office Action of: October 13, 2011

REMARKS

This response is in reply to the Office Action of October 13, 2011. The Office Action has rejected Claims 1-6, 8-10, 12, 14-18, 20-22, 24, 25, and 27 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,359,003 to Knighton et al. (hereinafter "Knighton") in view of U.S. Patent No. 6,384,863 to Bronson (hereinafter "Bronson") and in further view of U.S. Patent No. 4,530,580 to Ueda et al. (hereinafter "Ueda"). Claim 7 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Knighton in view of Bronson and Ueda, and in further view of U.S. Patent No. 5,719,799 to Isahi (hereinafter "Isahi"). Claims 13 and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Knighton in view of Bronson and in further view of another embodiment of Knighton. As described in detail below, independent Claim 1 has been amended to further patentably distinguish the claimed invention from the cited references, taken either individually or in any proper combination. Based on the foregoing amendments and the following remarks, reconsideration of the present application and allowance of the amended set of claims is respectfully requested.

Amendments

Independent Claim 1 has been amended to specify the feature "wherein said grip has a longest dimension along a second axis and wherein when moving from the first compact configuration to the second, extended configuration, the at least one outer wall is moved linearly away from the core portion in a direction substantially perpendicular to the second axis." Claim 25 has been amended to recite a similar feature.

Claim 28 has been amended to recite all of the features of previously pending Claim 1, from which it depended.

Overview of Embodiments of the Present Invention

Embodiments of the present invention, as recited in amended independent claim 1, relate to “a mobile communication station including a camera and having a body having a longest dimension along a first axis, the body comprising two portions which are mechanically coupled to each other by a linkage that permits rotation of one of the portions relative to the other about an axis substantially parallel to the said first axis and prevents rotation of each portion relative to the other about other axes, one of said portions having a grip for being gripped by a user during use of the communication station, the grip having a first compact configuration and a second configuration in which the grip is expanded relative to the first configuration to improve the grip of the user on the communication station when the grip is in the second expanded configuration; and wherein the grip has a core portion and at least one outer wall movable away from the core portion, and wherein said grip has a longest dimension along a second axis and wherein when moving from the first compact configuration to the second expanded configuration the at least one outer wall is moved linearly away from the core portion in a direction substantially perpendicular to the second axis”.

Novelty and Non-Obviousness

The first embodiment of Knighton (illustrated in Figures 1 to 9) discloses a camera which includes three main sub-assemblies, including: a grip 102, a display assembly 104, and an object subassembly including a lens 106. As illustrated in Figures 6a to 6d, the camera may be manipulated by a user into a variety of physical configurations. Figure 6a illustrates a compact configuration where actuation of a release 110 causes the display assembly 104 to move away from the grip 102 (see Figure 6b). The display 104 is then rotatable relative to grip 102 and to the optic assembly (please see Figure 6c). The grip 102 is also moveable relative to the optic assembly and the display assembly 104 as it may be tilted backwards and forwards (please see Figure 6d).

Bronson relates to a digital camera that includes two sections, a hand grip 100 and a lens assembly 200. The hand grip 100 is connected to the lens assembly 200 by a telescopic and rotating device 160. As illustrated in Figures 1a and 1b, the hand grip 100 and the lens assembly

200 may be moved from the arrangement illustrated in Figure 1a to the extended arrangement illustrated in Figure 1b. When taking a picture, a user may raise the lens assembly 200 to eye level while at the same time keeping the hand that is holding the hand grip 100 at elbow level.

Ueda discloses a telescopic extender for supporting a compact camera. The telescopic extender includes a head member to be attached to the camera, a grip to be held and a telescopic rod member connecting the head member to the grip. The grip can accommodate the telescopic rod when the telescopic rod is completely collapsed.

Independent Claims 1 and 25

Applicant asserts that, none of the above citations discloses or suggests the feature of “wherein said grip has a longest dimension along a second access and wherein when moving from the first compact configuration to the second extended configuration the at least one outer wall is moved lineally away from the core portion in a direction substantially perpendicular to the second access”.

As acknowledged in the Office Action, Knighton does not disclose or suggest “wherein when moving from the first compact configuration to the second extended configuration the at least one outer wall is moved lineally away from the core portion” as recited in independent Claim 1 of the present application. Knighton merely discloses that the grip 102 may be moved in a circular path (i.e. a non-linear path). Consequently, independent Claim 1 is not anticipated by Knighton.

Bronson merely discloses that the hand grip 100 is moveable away from the lens assembly 200. There is no disclosure in Bronson that the grip 100 has a core portion and at least one outer wall which is moveable lineally away from the core portion.

Ueda discloses a telescopic extender for supporting a compact camera. However, as illustrated in Figure 17a, Ueda discloses that the telescopic extender is extendable along an access substantially parallel to the grip. This teaches away from the features of “wherein said

Appl. No.: 10/584,748
Amdt. dated January 12, 2012
Reply to Office Action of: October 13, 2011

grip has a longest dimension along a second access and wherein when moving from the first compact configuration to the second extended configuration the at least one outer wall is moved lineally away from the core portion in a direction substantially perpendicular to the second access”.

Even if the above citations are combined together, their combination still fails to disclose or suggest “wherein said grip has a longest dimension along a second access and wherein when moving from the first compact configuration to the second extended configuration the at least one outer wall is moved lineally away from the core portion in a direction substantially perpendicular to the second access” as recited in amended independent Claim 1 of the present application.

Their combination will lead to an apparatus with a grip that is moveable in both a circular path as disclosed in Figure 6d of Knighton and in a linear path substantially parallel to an axis of the longest dimension of the grip as disclosed in Figure 17a of Ueda.

The same arguments apply to independent claim 25. Therefore independent Claims 1 and 25 are both novel and non-obvious over the citations.

Independent Claim 28

New independent Claim 28 is based on previous Claims 1 and 28. As such, the patentability of amended Claim 28 will be addressed with reference to the previous rejection of dependent Claim 28. The Office Action has alleged in section 3 that Knighton discloses the features of Claim 28 and cites column 6, lines 37 to 42. However, Applicant strongly disagrees with this objection.

The embodiment of Knighton disclosed in column 6, lines 37 to 42 teaches a visor 1010 that is moveable between an open position and a closed position and that an opening of the visor 1010 activates the display. This embodiment of Knighton merely discloses that a change in configuration of the visor in relation to the housing triggers a change in a display mode. This is

Appl. No.: 10/584,748
Amdt. dated January 12, 2012
Reply to Office Action of: October 13, 2011

contrary to the subject matter of new Claim 28, which recites that a change in operating mode of the mobile communication station triggers a change in configuration between a compact configuration and the extended configuration.

Amended Claim 28 is not anticipated or rendered obvious by any of the cited prior art or their combination. None of the documents discloses or suggests a device that changes physical configuration in response to a change in operating mode of a mobile communication station. Therefore, independent Claim 28 is patentably distinct from the cited references, taken alone or in combination.

Appl. No.: 10/584,748
Amdt. dated January 12, 2012
Reply to Office Action of: October 13, 2011

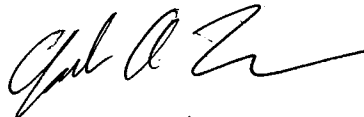
CONCLUSION

In view of the amendments and the remarks presented above, it is respectfully submitted that all of the present claims of the present application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned agent to resolve any remaining issues in order to expedite examination of the present application.

The patentability of the independent claims has been argued as set forth above and thus Applicant will not take this opportunity to argue the merits of the rejection with regard to specific dependent claims. However, Applicant does not concede that the dependent claims are not independently patentable and reserves the right to argue the patentability of dependent claims at a later date if necessary.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefor (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Jonathan A. Thomas
Registration No. 62,200

Customer No. 10949

ALSTON & BIRD LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE
UNITED STATES PATENT & TRADEMARK OFFICE ON JANUARY 12, 2012.

LEGAL02/33067441v1